

FILED

OCT 28 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY W. M. O'Leary
DEPUTY CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

v.

CRIMINAL COMPLAINT

JOEL K. DAVIS

CASE NUMBER: W19-252M

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

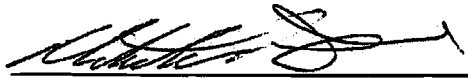
On or about October 27, 2019, at the Fort Hood Military Reservation, Western District of Texas, a place within the special maritime and territorial jurisdiction of the United States, defendant(s) did commit an assault with the intent to commit a felony, except murder or a violation of section 2241 or 2242, in violation of Title 18, United States Code, Section 113(a)(2).

On or about October 27, 2019, at the Fort Hood Military Reservation, Western District of Texas, a place within the special maritime and territorial jurisdiction of the United States, defendant(s) did, by force and violence, or intimidation, take or attempt to take from the person or presence of another a thing of value, in violation of Title 18, United States Code, Section 2111.

I further state that I am a(n) Military Police Investigator, Fort Hood Military Police, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

continued on the attached sheet and made a part hereof: YES



Mitchell D. Williams, INV, MPI

Sworn to before me and subscribed in my presence,

October 28, 2019

Date

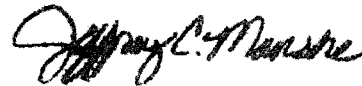
Waco, Texas

City and State

Jeffrey C. Manske

U.S. Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

United States District Court
Western District of Texas, Waco Division

Affidavit

I, Mitchell D. Williams, having been duly sworn, depose and say the following is true according to my knowledge and belief:

1. Your Affiant is an Investigator for the Provost Marshal's Office, Fort Hood, Texas 76544. I have been employed as an Investigator for ten months and my duties and responsibilities include the investigation of assault with intent commit a felony, a violation of Title 18, United States Code (USC) Section 113a(2); and the taking or attempt to take from the person or presence of another anything of value by force and violence, or intimidation, within the special maritime and territorial jurisdiction of the United States, a violation of Title 18, United States Code (USC) Section 2111. Your Affiant is currently involved in an investigation regarding the activities of Joel Kawanza Davis.

2. The statements contained in this affidavit are based on information provided to your Affiant by other law enforcement officers who investigate these types of crimes and through his personal investigation. Your Affiant has set forth herein the facts I believe are necessary to establish probable cause that said violation does exist.

3. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, your Affiant has not included each and every fact known to him concerning this investigation. Your affiant has set forth only facts that I believe are necessary to establish probable cause.

Background of Investigation

1. Your Affiant was notified by Military Police Dispatch that they had received a 911 call from Alexandria Caper on October 27, 2019. At approximately 11:56 pm, Caper stated that she had been sprayed with oleoresin capsicum in the face by a customer. Caper stated she had already been to the house once and no one answered. Caper returned to the house after receiving a phone call from the customer. Caper was sprayed from the passenger side of her vehicle, across the top of her vehicle's roof. Caper stated she was sprayed directly in the face. Caper stated she observed the individual flee, running West, towards TJ Mills Blvd, Fort Hood, TX. Military Police Patrols were sent to Domino's pizza to retrieve the receipt and order number. The receipt contained a fake name and number for the order. A be on the lookout was issued for a 2018

white Chevrolet Trax, the known subject's vehicle description. Military Police Patrol, SGT Hernandez, conducted a traffic stop on 58th Street and Old Ironsides, adjacent to Building 24013, Fort Hood, TX, for failure to signal. The vehicle matched the description of the BOLO (be on the lookout) previously issued. Upon the vehicle's stop, the passenger, later identified as Joel Davis, fled the scene and apprehended by Military Police Patrol SPC Sherfield. The driver of the vehicle was identified as A.U.H. and was apprehended by SGT Hernandez. A vehicle inventory was conducted for the tow of the vehicle. The inventory revealed four pizza boxes containing the same receipt number, oleoresin capsicum spray, and a grinder. Military Police Patrols transported Joel Davis and A.U.H. Military Police Patrols were also informed that Joel Davis and A.U.H were barred from the military installation. Joel Davis had been advised and invoked, and was later put in a line up in the DUI room and was picked out by Caper. This is a Final Report.

Conclusion

1. Based upon the aforementioned facts, there is probable cause to believe that one or more violations of 18 United States Code, 113a(2), and 18 United States Code, 2111 have been committed by Joel K. Davis.
2. Accordingly, your Affiant respectfully requests that an arrest warrant be issued for Joel K. Davis.



Mitchell D. Williams, INV, MPI

Subscribed to and sworn before me on this the 28th day of October, 2019.



Jeffrey C. Manske
United States Magistrate Judge